

REMARKS/ARGUMENTS

Claims 64-49 are pending in the instant application. Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 26 and 30 of copending application no. 10/356,240. Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 49 and 53 of copending application no. 10/761,794. Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 2, 12, 13, 15, 17, 19, 20, and 21 of United States Patent 6,630,126. Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 and 24-34 of United States Patent No. 6,808,699. No amendments have been made to the application. Applicant confirms that claim 80 has been withdrawn from consideration as being directed to a non-elected invention. Reconsideration is respectfully requested.

Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 26 and 30 of copending application no. 10/356,240. The Examiner has stated that this rejection will be withdrawn when only the provisional double patenting rejection is the only rejection of record. Applicants respectfully submit that, by this submission, the rejection should be withdrawn. Reconsideration is respectfully requested.

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Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 2, 12, 13, 15, 17, 19, 20, and 21 of United States Patent 6,630,126. Claims 64-69 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 and 24-34 of United States Patent No. 6,808,699. Applicant submits a terminal disclaimer towards both patents to overcome these rejections. Reconsideration and withdrawal of the rejections are respectfully requested.

In view of the remarks made hereinabove, Applicant respectfully submits that the instant application, including claims 64-69, is patentably distinct over the prior art. Favorable action thereon is respectfully requested.

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Any questions with respect to the foregoing may be directed to Applicant's undersigned counsel at the telephone number below.

Respectfully submitted,

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